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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Mohamed Bakri ASSOUMANI

Serial No.: 09/830,763

Group No.:

Filed: April 30, 2001

Examiner.:

For: FOODSTUFF COMPOSITIONS

1761
Attorney Docket No.: U 013420-7

Assistant Commissioner for Patents
Washington, D.C. 20231

SUBSTITUTE STATEMENT

Kindly substitute the attached Statement Claiming Small Entity Status with
original ink signature for the document previously filed on July 25, 2001.

Respectfully submitted,

CLIFFORD J. MASS
KADAS & PARRY
26 WEST 61ST STREET
NEW YORK, NEW YORK 10023
REG. NO.30,086(212)708-1890

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:
Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231

CLIFFORD J. MASS
(Type or print name of person mailing paper)

(Signature of person mailing paper)

Date: August 21, 2001

RECEIVED
SEP 25 2001
TC 1700

*Not entered
NOT required*

Practitioner's Docket No. U 013420-7

CHAPTER II

IN THE UNITED STATES ELECTED OFFICE (EO/US)

PCT/GB99/03580 29 OCTOBER 1999 30 OCTOBER 1998
INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED

FOODSTUFF COMPOSITIONS
TITLE OF INVENTION

APPLICANT(S) MOHAMED BAKRI ASSOUMANI

Box PCT
Assistant Commissioner for Patents
Washington D.C. 20231
ATTENTION: EO/US

**REQUEST FOR REFUND (37 C.F.R. 1.28(a))
FOR INTERNATIONAL APPLICATION ENTERING U.S. NATIONAL STAGE
IN U.S. ELECTED OFFICE (EO/US) UNDER 35 U.S.C. 371**

I. SUBMISSION OF SMALL ENTITY STATEMENT

(complete (a) or (b))

- (a) Attached is a statement claiming small entity status in this application.
(b) A statement claiming small entity status was filed in this application on _____

CERTIFICATION UNDER 37 C.F.R. 1.10*

(Express Mail label number is mandatory.)

(Express Mail certification is optional.)

I hereby certify that this Request for Refund and the papers indicated as being transmitted therewith are being deposited with the United States Postal Service, on this date, July 25, 2001 in an envelope as EXPRESS MAIL POST OFFICE TO ADDRESSEE" Mailing Label Number EL728214138US, addressed to the: Commissioner for Patents and Trademarks, Washington, D.C. 20231.

MARIA MELIAN
(type or print name of person mailing paper)

Maria Melian
Signature of person mailing paper

WARNING: Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

***WARNING:** Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R 1.10(b).

"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

II. REFUND REQUEST

This request for refund is made within three months of the date a fee was paid in this application on April 30, 2001 in the amount of \$ 860.00.

NOTE: The two month period (§ 1.28(a)) is not extendible under 37 C.F.R. 1.136 because it is not a period for response. Notice of November 30, 1983. 49 Fed. Reg. 548, January 4, 1984.

III. FEES PAID FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
[x] Filing fee under 37 C.F.R. 1.492	<u>430.00</u>
[] Fees for claims under 37 C.F.R. 1.492(b), (c) or (d)	<u> </u>
[] Surcharge for filing the oath or declaration on the date later than 30 months from the earliest priority date (37 C.F.R. 1.492(e))	<u> </u>
TOTAL REFUND REQUESTED	<u>430.00</u>

IV. MANNER OF REFUND

- Crediting Account No. 12-0425
 Refunding overpayment

Reg. No. 30,086

SIGNATURE OF PRACTITIONER

Clifford J. Mass

(type or print name of practitioner)

c/o Ladas & Parry

26 West 61st Street

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